

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

JUNE NANETTE MASSEY

PLAINTIFF

V.

NO. 3:14CV00276-JMV

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

FINAL JUDGMENT

This cause is before the Court on Plaintiff's complaint for judicial review of a partially unfavorable final decision of the Commissioner of the Social Security Administration regarding claims for a period of disability and Disability Insurance Benefits and Supplemental Security Income. The parties have consented to entry of final judgment by the United States Magistrate Judge under the provisions of 28 U.S.C. § 636(c), with any appeal to the Court of Appeals for the Fifth Circuit. The Court, having reviewed the administrative record, the briefs of the parties, and the applicable law and having heard oral argument, finds as follows, to-wit:

Consistent with the Court's ruling from the bench during oral argument, the Court finds the ALJ failed to adequately justify her determination of a disability onset date of June 25, 2011, in the face of a medical opinion from Dr. Bernard Booth that the onset of the combination of impairments that rendered the claimant capable of only less than sedentary work occurred "*well before* DLI of 6/30/11." Accordingly, on remand, the ALJ shall re-contact Dr. Booth and obtain from him an opinion regarding the approximate date of onset of the combination of impairments that resulted in the RFC he assigned. If Dr. Booth is unable to render such an opinion, the ALJ must require that he state the reason. The ALJ shall conduct any additional proceedings necessary and not inconsistent with this order. However, after receipt of any new evidence

and/or submissions, the ALJ must reconsider her determination of the claimant's disability onset date.

IT IS, THEREFORE, ORDERED AND ADJUDGED that this case is **REMANDED** for further proceedings.

This, the 24th day of September, 2015.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE